IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WP(C).No. 27986 of 2007(F)

PETITIONER:

THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
THIRUVANANTHAPURAM, REPRESENTED BY DEPUTY LAW OFFICER, SRI. RANJITH JOSEPH.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

RESPONDENT:

SRI. E.K.GOPINATHAN, S/O. KUNJU PILLA,
ERATTAPLAMOOTTIL HOUSE, NEAR T.M.M. HOSPITAL,
THIRUVALLA P.O., PATHANAMTHITTA DISTRICT.

BY ADV. SRI.S.SUBHASH CHAND

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO. 27986 OF 2007 F

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE COMPLAINT NO. 844/2007 DATED 3.4.2007.

EXT.P2 TRUE COPY OF THE ORDER OF THE KERALA LOK AYUKTA ON COMPLAINT NO.844/2007 DATED 1.8.2007.

EXT.P3 TRUE COPY OF THE JUDGMENT IN W.A. NO.289/2001 DATED 20.11.2002.

EXT.P4 TRUE COPY OF THE INTERIM ORDER IN CIVIL APPEAL NOS. 5401 - 5407 OF 2002 DATED 29.8.2002 OF THE HONOURABLE SUPREME COURT.

EXT.P5 TRUE COPY OF THE JUDGMENT IN W.P.(C). NO. 19040/2007 DATED 9.8.2007.

EXT.P6 TRUE COPY OF THE JUDGMENT IN W.A. NO. 1642/2007 DATED 6.7.2007.

RESPONDENT'S EXHIBITS: NIL.

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 27986 OF 2007 F

Dated this the 19th October, 2007

JUDGMENT

Petitioner, KSRTC challenges Ext.P2 order passed by the Lok Ayukta. I feel that the issue is covered in favour of the petitioner by Ext.P5 Judgment. The respondent retired on 30.4.2005. It appears that his daughter was given away in marriage on 2.7.2007. According to the learned counsel for the respondent, he had to borrow money. Accordingly, while granting the relief in terms of prayer No.(2), Ext.P2 will stand set aside. While I set aside Ext.P2, it is ordered that the petitioner will be paid the amount due as DCRG or Commuted Value of Pension whichever is higher within a period of one month from today.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.